



JAW

## PATENT

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Serial No.: 10/686,460 )  
Filed: October 15, 2003 )  
Art Unit: 3731 )  
Examiner: G. DAWSON )  
For: BREATHING ASSISTANCE )  
APPARATUS )  
Applicant: Seakins et al. )  
Atty Docket No.: 1171/39624D/92D )

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

October 10, 2005  
Date

Tiffany E. Sexton  
Tiffany E. Sexton

TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
AFTER MAILING OF OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Supplemental Information Disclosure Statement. This Supplemental Information Disclosure Statement and the enclosures constitute a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

Applicant first became aware of the references cited in this Supplemental Information Disclosure Statement through an Office Action dated July 26, 2005 which issued in corresponding United States patent application Serial No. 10/246,328.

In accordance with 37 CFR §1.98(2)(ii) Applicant has not included copies of the United States patent(s) disclosed in this Supplemental Information Disclosure Statement.

The foreign reference cited in this Supplemental Information Disclosure Statement is not in the English language, therefore, attached thereto is an English abstract of same.

The Supplemental Information Disclosure Statement transmitted herewith is being filed after receipt of the Office Action but before the Notice of Allowance and before the payment of the issue fee.

Applicant states that no item of information contained in the Supplemental Information

Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Supplemental Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Supplemental Information Disclosure Statement.

Applicant believes that a fee is not required for this submission. If the Commissioner believes that a fee is required, the Commissioner is authorized to such fee to Deposit Account No. 20-1495.

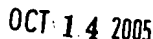
In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

Respectfully submitted,

Dated: October 11, 2005

By: 

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Sheet	1	of	1
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**Complete if Known**

Application Number	10/686,460
Filing Date	October 15, 2003
First Named Inventor	Paul John Seakins
Art Unit	3731
Examiner Name	Glenn K. Dawson
Attorney Docket Number	1171/39624D/92D-DIV

## U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				
		JP 2001-129091	05/15/2001	Kofurotsuku KK		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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